

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Brandon James Littell,)	C/A No.: 5:22-1551-JD
)	
Petitioner,)	
)	
v.)	ORDER
)	
Warden of Lee Correctional Institution,)	
)	
Respondent.)	
)	

Brandon James Littell (“Petitioner”), an inmate housed at the Lee Correctional Institution, proceeding pro se, filed this action seeking habeas corpus relief under 28 U.S.C. § 2254. On May 19, 2022, the Court ordered Petitioner to pay the five dollar filing fee for a habeas corpus action or complete and return an application to proceed in forma pauperis. (DE 8.) Petitioner was warned that the failure to comply with the court’s order by June 9, 2022, may subject the case to dismissal. (Id.) Petitioner did not file a response.

It is well established that a district court has authority to dismiss a case for failure to prosecute. “The authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an ‘inherent power,’ governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” See Link v. Wabash R.R. Co., 370 U.S. 626, 630–31 (1962). In addition to its inherent authority, this court may also *sua sponte* dismiss a case for lack of prosecution under Fed. R. Civ. P. 41(b). Id. at 630. As Petitioner has failed to prosecute this case and has failed to comply with an order of this Court, the case is **dismissed *without prejudice*** pursuant to Rule 41 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.


Joseph Dawson, III
United States District Judge

June 29, 2022
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.